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Committee on the Elimination of Discrimination against Women
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Summary record of the 1516th meeting
Held at the Palais des Nations, Geneva, on Thursday, 13 July 2017, at 10 a.m.

Chair: Ms. Leinarte

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined third and fourth periodic reports of the Niger (CEDAW/C/NER/3-4; CEDAW/C/NER/Q/3-4 and Add.1)

1. *At the invitation of the Chair, the delegation of the Niger took places at the Committee table.*

2. **Ms. El Back** (Niger), introducing her country's combined third and fourth periodic reports (CEDAW/C/NER/3-4), said that discrimination against women was a major obstacle to the enjoyment of human rights, which was why her Government had made a priority of combating all forms of discrimination. To that end, the principle of non-discrimination and, in particular, the elimination of discrimination against women had been enshrined in the 2010 Constitution of the Niger. The Government had likewise introduced the national policy on gender and its accompanying action plan for the period 2009-2018 with the aim of creating a society in which men and women, boys and girls, could all enjoy the same opportunities. The policy had recently been updated to take into account current development challenges, such as climate change, security issues and migration, thereby reaffirming the country's commitment to meeting its regional and international obligations in the area of women's rights and development.

3. A national committee had been set up in 2012 to monitor the implementation of the Committee's recommendations. In that connection, various legislative, administrative and institutional measures had been introduced to promote and protect women's rights. For example, the Government had amended the Nationality Code to enable women nationals of the Niger to transmit their nationality to a foreign spouse, thereby placing women on an equal footing with men in that regard. In 2014, the National Agency for Legal and Judicial Assistance had been established with the aim of providing legal assistance to vulnerable groups, including women, and a national charter to improve women's portrayal in the media had also been adopted. Moreover, gender units had been set up in all State institutions in order to incorporate a gender perspective into all development initiatives; the National Observatory for Gender Equality had been created to monitor the effectiveness of the relevant national measures; and a parliamentary network had been established to promote gender issues.

4. The electoral law had been amended in 2014 to increase the gender quota from 10 per cent to 15 per cent for elected positions and thus boost women's participation in political life. As a result, the proportion of women deputies had risen to just over 15 per cent in the 2016 general elections, up by 3 percentage points since 2009.

5. Significant progress had also been made in other areas of life in the Niger. Efforts to combat poverty, for example, had seen the poverty rate reduced from 63 per cent in 2005 to 45.4 per cent in 2014. A number of socioeconomic plans and programmes had also been implemented in partnership with other stakeholders to improve the living conditions of women in the Niger. Such initiatives included a 2017 national strategy for the economic empowerment of women and a solidarity fund, which was aimed at facilitating the socioeconomic inclusion of rural women.

6. In education, steps had been taken to reduce or even eliminate primary school fees, establish school cafeterias for nomadic schools and provide free school meals, thereby encouraging poverty-stricken families to send their children to school. In addition to its commitment to building 2,500 new classrooms per year, the Government had also successfully implemented various measures designed to ensure that girls not only enrolled in school but also completed their studies. As such, the gross enrolment ratio for girls had risen from 62 per cent in 2012 to 76 per cent in 2016, while the proportion of girls completing their primary education had increased from 42 per cent to 69 per cent in the same period.

7. Regarding health, action had been taken to improve the quality and accessibility of health-care services, despite the economic difficulties the country was facing. In that regard,

a number of plans and strategies had been implemented to facilitate access to reproductive health products and improve the sexual and reproductive health of adolescents and young people. Moreover, a "Schools for Husbands" programme had been launched with a view to recruiting men in efforts to promote reproductive health and bring about changes in behaviour. In that connection, the Government had introduced a package of measures aimed at ensuring access to free health-care services, reducing the maternal and neonatal mortality rates, and preventing and treating sexually transmitted diseases, including HIV/AIDS. In addition, mother-and-child centres had been established in all regions of the country. As a result, there had been a marked decrease in the maternal mortality rate, an increase in the number of assisted births and an improvement in the overall health of mothers and their children.

8. Gender-based violence, child marriage and female genital mutilation continued to be areas of concern for the Government, which had worked tirelessly towards eliminating those practices. For example, in 2017, it had launched a national strategy to prevent gender-based violence, which included capacity-building and awareness-raising measures. Efforts to reduce the high rates of child marriage and early pregnancy included the "*Illimin*" initiative for adolescents, which had provided safe spaces for some 32,000 teenagers in 2017.

9. Notwithstanding the progress made in the Niger, much remained to be done, such as the withdrawal of the country's reservations to the Convention, the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) and the adoption of the personal status code. However, the Government was convinced that improving the situation of women was key to the country's socioeconomic development. For that reason it was committed to working in close cooperation with all stakeholders to develop specific measures to bolster women's rights.

Articles 1 to 6

10. **Ms. Schulz** said that, while impressive progress had been made in the Niger, such as the introduction of various laws and measures to improve the situation of women, she was concerned that reforms of discriminatory legislation appeared to have stagnated. Moreover, the State party's reservations to articles 2 (d) and (f) and 16 (1) (c), (e) and (g) of the Convention were contrary to the object and purpose of the Convention and undermined the Government's efforts to foster gender equality. Recalling that the State party had accepted the recommendations made during the Human Rights Council universal periodic review in 2016, she wished to know whether the Government had now committed to a specific time frame for the withdrawal of its reservations, whether it was working with civil society and religious organizations to that end, and whether it intended to take the lead on implementing the provisions of the Convention in the Niger, irrespective of obstacles created by religious groups or related to traditions or customs.

11. Regarding access to justice, she wondered what training had been provided to judges, law enforcement officers, medical staff and social workers regarding women's rights and the provisions of the Convention; what action had been taken to tackle corruption and nepotism; and whether awareness-raising activities had been carried out to inform the customary authorities of women's rights. She asked whether the system of legal assistance was functioning in all areas of the country, whether it had sufficient resources and whether it was available to women whose cases were being processed by the customary authorities.

12. Attacks against civilians by Boko Haram and other armed groups had led to mounting insecurity in the State party, caused an influx of refugees from neighbouring countries and given rise to large numbers of internally displaced persons in the Niger, most notably in the Diffa region. In that connection, she asked when the Government envisaged enacting the implementing decree on the law on the status of refugees, which had been pending for more than a year; whether the State party had any plans to introduce legislation regarding internally displaced persons; what measures were in place to support refugees and internally displaced persons who were living in extremely vulnerable situations; and what steps had been taken to facilitate the uninterrupted distribution of food to the 1.3 million persons affected by the food crisis in the Diffa region and ensure their unfettered access to education and health care. Recalling Security Council resolution No. 1325 (2000)

on women and peace and security, she wondered whether the Government intended to establish an independent mechanism to investigate allegations of human rights violations and acts of violence committed by the security forces and armed opposition groups and, if so, to what extent women would be able to participate in that process. In that connection, what measures had been taken to involve women in the process of investigating, prosecuting and reintegrating perpetrators of atrocities, thereby preventing impunity?

13. **Ms. Ameline** said that the Niger was fighting challenges on several fronts — notably terrorism, the crisis in the Lake Chad region and the issue of migration — that had a destabilizing effect on the country and posed a threat to women's rights. With those challenges in mind, she wondered whether the Niger had sought any regional or international solutions and, if so, whether it was considering participation in some of the regional efforts already under way.

14. The Government was to be commended for its courageous approach to the migrant situation and the ambitious programmes it had launched in cooperation with neighbouring countries. In that regard, she wished to know what comprehensive strategies the Government intended to roll out in conjunction with neighbouring countries and the international community to prevent large migration flows. She wondered to what extent the gender dimension had been taken into account in strategies concerning migrants, and how civil society and the media, including social networks, could be utilized to help prevent women migrants from becoming victims of trafficking.

15. **Ms. El Back** (Niger) said that the Government was fully committed to the advancement of women and respect for their rights and was working tirelessly to create the conditions necessary for it to withdraw its reservations to the Convention. For example, it had set up a committee and launched a three-year communication plan with a view to achieving the withdrawal of its reservations. Regarding Boko Haram, the Government was doing all it could to combat the threat posed by that and other armed groups and, despite the challenges it faced on a number of fronts, was making some headway.

16. **Mr. Hachimou** (Niger) said that the Government was working with civil society and religious organizations, among other stakeholders, with a view to implementing the provisions of the Convention. For example, a consultation framework had been in place since 2014, and regular meetings were held to raise awareness of new projects and programmes.

17. The Government was doing its best to manage the situation in respect of both inbound and outbound migration. It had, for example, commissioned a study, in cooperation with the United Nations Children's Fund (UNICEF), to find out the reasons underlying the migration of women and children of the Niger in the north of the country, where some 92 women and children had perished trying to reach the Maghreb. It was hoped that the results of the study would help the Government develop strategies to combat migration.

18. **Mr. Ousseini** (Niger) said that the National Agency for Legal and Judicial Assistance had initially been set up in the capital city, Niamey, in order to provide legal assistance to vulnerable persons, including women. Regional offices had now been established in all 10 of the country's main courts nationwide, and there were plans to roll out the initiative to a further 40 district courts around the country. Lastly, the Government was working in conjunction with a number of international partners to ensure that sufficient human and financial resources were provided to that Agency.

19. **Mr. Hachimou** (Niger) said that, as the Minister for the Advancement of Women and Protection of Children had been able to confirm during a recent visit to the Diffa region, the distribution of food to camps for displaced persons in that region was effectively managed in conjunction with various partners. Members of the Armed Forces were well-disciplined and did not commit acts of violence against internally displaced persons.

20. **Ms. Mounkeila** (Niger) said that, following national consultations on the administration of justice, a national policy on justice and human rights had been adopted in 2014 and a related plan for 2015-2025 had been established. The purpose of the policy was to make the justice system more accessible and more effective in protecting citizens' rights.

The question of access to the legal and justice system had been addressed through an action plan and strengthened by the implementation of a national human rights plan, in accordance with which offices were being opened by district courts around the country.

21. Since the start of the attacks by Boko Haram, the Office of the United Nations High Commissioner for Human Rights had conducted three missions to Niger with a view to assessing the human rights situation in the context of the conflict. The reports drawn up in the wake of those missions had stressed that, despite the challenges posed by the conflict, the national defence and security forces were operating in in a manner that was respectful of human rights and were not engaged in killing or torturing.

22. The Niger had adopted a law on the illegal smuggling of migrants and had extended the competence of the National Agency for Combating Trafficking in Persons and other bodies working in the area of migration.

23. **Ms. Ameline** said that, in the face of the terrorism and migration crisis, the State party should not only defend human rights but also consolidate the rule of law as a response to that crisis. A legal framework that would protect human rights, particularly the rights of women, should be promoted as a means of opposing the prevailing state of disorder. In that regard, she wished to know whether, in accordance with the Sahel development plan, the State party was receiving sufficient support from all its international partners. Noting that the State party's conflict with Boko Haram was ongoing, she asked what urgent measures were being taken to prevent violations of women's human rights in the context of that conflict.

24. **Ms. Schulz**, noting that the majority of the population turned to traditional authorities rather than the State courts when they wished to resolve a dispute, said that she wished to know whether legal or judicial assistance was made available to persons who brought complaints before traditional authorities.

25. She asked what steps were being taken to introduce a legal framework for internally displaced persons, what the timeline was for the adoption of the decree implementing the law on the status of refugees and what measures were being taken to support internally displaced persons and refugees in situations of extreme vulnerability.

26. **Ms. Gabr** asked whether, in considering the possibility of withdrawing its reservations to certain articles of the Convention, the State party had studied the examples set by other Muslim countries who had not entered, or had decided to withdraw, reservations.

27. **Ms. Jahan**, noting that the draft document on the personal status code had not been adopted owing to the hostility of certain social groups, said that she wished to know whether the State party intended to adopt a new draft in consultation with civil society and with community and religious leaders, including those who might be expected to oppose such an initiative. In view of the fact that over 70 per cent of the population of Niger was under the age of 25, she asked what measures would be taken to involve young people in the process of reviewing the draft personal status code. Lastly, she asked whether the State party would consider seeking the advice of the Governments of other Muslim-majority countries that had taken steps to improve the status of women, promote the principle of gender equality in their personal status laws and reconsider religious interpretations that appeared to perpetuate gender inequality and harmful stereotypes.

28. In order to promote reflection on the relationship between faith and human rights, the State party might wish to consider organizing a symposium similar to the one held in Dakar in May 2017 on the rights of women and children from the perspective of Islam.

29. **Ms. Hayashi**, noting that the State party's three-year communication plan for considering whether to withdraw its reservations to the Convention was in its final year, said that she wished to know whether the Government envisaged extending the plan and whether religious and traditional leaders had been invited to discuss it.

30. **Mr. Hachimou** (Niger) said that in April 2017 representatives of the Government and a delegation from Washington had travelled to the Diffa and Tillabéri regions to visit the camps for internally displaced persons. In collaboration with its partners, the

Government was drawing up a strategy aimed at displaced persons in those regions. The strategy would be implemented in 2018; the projects being developed were similar to those implemented in the Democratic Republic of the Congo, which faced similar challenges.

31. As for the possible withdrawal by the Niger of its reservations to the Convention, in March 2014 a national forum on population and development had been attended by civil society organizations, Islamic scholars, representatives of the provincial authorities and representatives of other Muslim-majority countries, including academics from Egypt, Indonesia, Ghana and Tunisia. At the forum, efforts had been made to explain to the Islamic scholars present that human rights were not incompatible with Islam. The recommendations issued in the wake of the forum had been translated into Arabic and the various national languages and disseminated around the country, and consultations between the Government and religious leaders had been organized.

32. **Mr. Garba** (Niger), responding to the question on a legal framework for internally displaced persons, said that, since treaties that had been ratified took precedence over national laws, it was possible to state that legislation on internally displaced persons was in place and the relevant treaties could be invoked before the courts.

33. In order to address the problems arising from migration, the Government was participating in the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants. The programme in question focused on strategies to develop legislation, capacity-building measures, regional and transregional cooperation and the provision of assistance to victims of trafficking. It placed particular emphasis on the protection of vulnerable persons such as women and children.

34. At the government level, several projects and draft bills aimed at lifting the reservations to the articles of the Convention had been blocked by parliament. However, it was hoped that awareness-raising campaigns aimed at religious leaders would eventually make it possible for the reservations to be withdrawn.

35. **Mr. Ousseini** (Niger) said that, under legislation adopted in 2015, traditional and customary leaders were competent to mediate in disputes but could not issue rulings in litigation proceedings. As such leaders were not part of the official justice system, persons who appealed for their assistance in resolving disputes were not entitled to legal assistance.

36. In 2015, around 583,000 persons displaced by the actions of Boko Haram had been sheltered in the Diffa region, where they were supported by the State and its many partners. Over 71 billion CFA francs had been raised to pay for their food, water, sanitation, transport, health care and education.

37. The legislation on the personal status code that was due to be adopted predated the ratification of the Convention by the Niger. The National Assembly, using the freedom granted to it under the principle of the separation of powers, had blocked legislation aimed at withdrawing reservations to the Convention. However, the parliamentary network for gender issues had been established to encourage parliamentarians to accept legislative changes that they might otherwise have opposed.

38. **Ms. Tampone** (Niger) said that displaced women in the Diffa region had access to health-care centres. A mission conducted to that region in 2012 had found that many pregnant women were attending such centres and receiving care.

39. **Ms. El Back** (Niger) said that, on a visit to the Diffa region, she had been able to confirm that the State and its partners were providing effective support and assistance to internally displaced persons, who had access to health care, literacy programmes and awareness-raising programmes and could participate in income-generating activities.

40. Although it was not customary for individuals in Niger to have family names, a project was under way which would enable citizens to establish their civil status on the basis of their date of birth and a chosen family name.

41. **Mr. Hachimou** (Niger) said that the system governing the attribution of civil status was being overhauled. As part of that process, the national policy on civil status had been adopted in 2015.

42. Responding to the question about extending the three-year communication plan regarding the withdrawal of reservations to the Convention, he said that an assessment of the plan would be conducted when it was complete and any ensuing recommendations would be implemented.

43. **Ms. Jahan** asked what measures were being taken to raise parliamentarians' awareness of the importance of adopting the personal status code and other legislative changes that might require their approval.

44. **Ms. El Back** (Niger) said that the relatively low number of women parliamentarians made it difficult for certain pieces of legislation to be adopted. As a result of the adoption of the Quota Act, however, the number of women parliamentarians had risen from 1 in 1993 to 27 in 2017. Efforts were being made to engage with women parliamentarians, who were fighting to bring about change.

45. **Mr. Hachimou** (Niger) said that, several years previously, there had been a struggle in parliament over the adoption of legislation on reproductive health. On the first reading of the bill in question, it had been rejected. However, following an intensive awareness-raising campaign, the bill had been adopted on second reading. Such campaigns, together with the support of civil society and the women's parliamentary network and engagement with Islamic scholars, would help ensure that further changes could gradually be made to the country's legislation.

46. **Ms. Schulz** said that, although the Government was to be commended on its efforts to support women parliamentarians, it had become clear to the Committee through discussions with delegations from many countries that men also had to participate in the struggle to promote women's rights since those rights concerned the whole of society.

47. **The Chair**, speaking as a member of the Committee, said that the State party was to be commended on the adoption of the decree establishing the National Observatory for Gender Equality and on the establishment of gender focal points and a 10-year national action plan to implement the national policy on gender. She wished to know what financial and human resources had been allocated to the National Observatory, the focal points and the implementation of the national action plan.

48. Noting that the State party had established a national human rights commission, a 10-year plan for the implementation of that commission and a parliamentary network for gender issues, she asked whether, in line with the recommendation issued by the Committee (CEDAW/C/NER/CO/2, para. 20), the State party would clearly define the mandates of the different mechanisms responsible for promoting gender equality and ensure that they cooperated with each other in working towards their goals. In that regard, she asked who the members of the National Observatory for Gender Equality were, whether the National Observatory operated as an ombudsman, whether it was empowered to bring legal cases of gender-based discrimination before the courts, how many gender focal points there were, whether those focal points were individuals and whether their sole responsibility was to promote women's rights.

49. She asked what the main goals of the parliamentary network for gender issues were, what results the network had achieved, how many pieces of legislation that would have been detrimental to the rights of women had been blocked by the network and whether its membership consisted solely of women parliamentarians.

50. **Ms. Verges** said that, although she wished to commend the State party on improving the quota system for elective offices, she was concerned to note that the rise in the quota from 10 to 15 per cent represented a very slow rate of improvement. In that regard, she asked what plans were in place to increase the quota more quickly and what other improvements had been introduced in the new law. Noting that the quota of 25 per cent for government members and senior public posts would be difficult to implement without a clear definition of the nature of the positions concerned, she asked how that figure was calculated, whether it applied exclusively to senior positions, including positions within the Government, and how the term "senior positions" was defined.

51. With regard to the socioeconomic projects and programmes listed in the replies to the list of issues (CEDAW/C/NER/Q/3-4/Add.1, para. 22), she wished to draw attention to

the distinction between temporary special measures, which were established to correct instances of discrimination and then repealed when they were no longer necessary, and economic and social programmes. Noting that disparities continued to exist between the proportion of women and men employed in different sectors of the civil service — some of which did not employ any women in decision-making positions — she asked whether any temporary special measures had been taken to correct such disparities.

52. **Ms. El Back** (Niger) said that the Ministry for the Advancement of Women and Protection of Children bore overall responsibility for promoting gender equality and, to that end, had established the National Observatory for Gender Equality, which served as an independent monitoring body. Nearly all government ministries had appointed focal points responsible for mainstreaming a gender perspective into their activities. Although the action plan for its implementation was in force, the national policy on gender was still being updated to address a number of emerging concerns. Efforts to promote gender equality were supported by public officials and partners who provided capacity-building and financial assistance. There was also a separate budget line for gender-related activities.

53. Following the amendment of Act No. 2000-008, which had introduced a quota system for women's representation in decision-making bodies, the quota for elective positions had been raised from 10 to 15 per cent. Out of 42 government ministers, 8 were women and a further 3 women were employed as ministerial advisers. Although progress was slow, with the support of civil society, the Niger hoped to raise the quota to at least 30 per cent in the future.

54. **Mr. Hachimou** (Niger) said that, since its establishment, the Ministry for the Advancement of Women and Protection of Children had always been led by a woman. The National Observatory for Gender Equality, which was tasked with overseeing the implementation of the national policy on gender, was composed of a variety of stakeholders, including government officials and civil society representatives. *Postes supérieurs*, or high-level positions, were positions within the Government to which individuals were appointed by decree, such as a minister or a director of a government department or other State institution. Diplomatic staff were also appointed in that fashion; at least 25 per cent of the country's diplomatic representations were currently headed by women.

55. **Ms. Tampone** (Niger) said that the quota of 15 per cent for elective positions and the quota of 25 per cent for appointed positions established in the amended Act No. 2000-008 were minimum and not maximum quotas.

56. **Mr. Ousseini** (Niger) said that the purpose of the parliamentary network for gender issues was to help create an enabling environment for achieving gender equality and equality of opportunity between men and women, and to monitor and intervene in discussions on issues affecting women raised in the National Assembly. The network enjoyed the support of several national institutions, which provided regular training to its members. Under the amended Act No. 2000-008, all political parties were required to ensure that at least 15 per cent of the candidates on their electoral lists were women.

57. **The Chair**, speaking in her capacity as an expert, said that, in many national parliaments, there were informal parliamentary groups for women that were active in ensuring that public policies were gender-sensitive and in blocking laws that would impede the exercise of women's rights. She asked whether the parliamentary network referred to by the delegation performed a similar function and whether it could be considered part of the national machinery for the advancement of women.

58. **Ms. Verges** said that, while civil society might be able to assist the State party in increasing the quotas for elective and appointed positions to 30 per cent, the onus was on the State party itself to take the action necessary to translate that desire into reality. It would be useful to know the total number of appointed positions to which the 25 per cent quota applied in order to determine whether it had in fact been reached.

59. **Ms. El Back** (Niger) said that the parliamentary network for gender included both male and female parliamentarians. While there was no bar to female parliamentarians coming together to form informal working groups, such groups would not be recognized as having official status. Civil society would remain an important partner for the Government

as it worked towards raising the quotas for elective and appointed positions to 30 per cent and should not be sidelined. Although the delegation could not specify the exact number of appointed positions covered by the 25 per cent quota at that time, the quota in question was generally respected.

60. **Ms. Tampone** (Niger) said that the 25 per cent quota had indeed been exceeded within the diplomatic service, as 28 per cent of diplomatic representations were currently headed by women. The 25 per cent quota applied to all decision-making positions within the Government. Any failure to comply with the quota was reported to the judicial authorities.

61. **Mr. Hachimou** (Niger) said that, although the delegation was not in a position to provide comprehensive statistical data on appointed positions at that time, such data were routinely collected at the ministerial and departmental levels. In some ministries, the minimum threshold of 25 per cent had been largely exceeded. For example, gender parity had been achieved in the Ministry for the Advancement of Women and Protection of Children, attesting to the Government's commitment to achieving gender balance at the decision-making level.

62. **Mr. Ousseini** (Niger) said that high-level positions were defined by law and that those positions automatically fell within the scope of the 25 per cent quota.

63. **Ms. Chalal** said that, while the Committee welcomed the various initiatives undertaken by the State party to create an enabling environment for the full and equal enjoyment by women of their rights and fundamental freedoms, it remained concerned that, 18 years after ratifying the Convention, the Niger had still not withdrawn its reservation to article 5 (a) with regard to the modification of social and cultural patterns of conduct of men and women. The withdrawal of that reservation was a precondition for the elimination of prejudices and customary practices based on the idea of women's inferiority or on stereotyped roles.

64. Gender-based violence, which was prevalent in the Niger, seemed to be exacerbated by the high poverty and illiteracy rates among women. Furthermore, the Committee had received information to the effect that the early or forced marriage of girls aged 15 years or under was quite common and widely tolerated in society. She reminded the State party that early marriage effectively precluded girls from attending school and could have negative implications for their health. Although the prevalence of female genital mutilation had fallen slightly in recent years, the practice remained widespread in certain regions of the country, despite it having been outlawed in 2013. Moreover, the traditional practice known as "*wahaya*" or the taking of a "fifth wife", which constituted a form of sexual and physical slavery, was reported to persist in the State party.

65. She asked whether the State party planned to adopt legislative measures to prohibit the practice of *wahaya*, as well as early and forced marriage, and to raise the age of marriage for girls to 18 years. She also wished to know whether the State party intended to introduce a mechanism to monitor the application of articles 232.1 to 232.3 of the Criminal Code, which prohibited and punished female genital mutilation. The delegation might also indicate whether the State party had involved religious and traditional leaders in its awareness-raising efforts and whether it planned to increase the involvement of the media in awareness-raising initiatives, which had proven extremely effective in certain communities. She asked what targeted measures the gender-based violence division of the Directorate for the Promotion of Female Leadership, the National Observatory for Gender Equality, the National Human Rights Commission and the Ombudsman had adopted to promote an image of women as being equal to men and key development partners. Could the early warning mechanism of the National Human Rights Commission open an investigation into allegations of gender-based violence on its own initiative as soon as a complaint was lodged? How did the State party plan to deal with the tendency of many women to remain silent in the face of violations of their rights? Did the State party intend to withdraw its reservation to article 5 (a) of the Convention in the near future?

66. **Ms. Gabr** said that, despite the legislative measures adopted to combat human trafficking and the training dispensed to the police on how to identify and care for victims, the Niger remained a country of origin, transit and destination for victims of that

phenomenon, who were often forced into marriage, prostitution or labour. The paucity of information available on the number of criminal investigations into trafficking and the number of prosecutions brought against and penalties imposed on traffickers was regrettable, as it prevented the Committee from assessing the prevalence of human trafficking in the Niger and from helping the State party identify solutions. She would appreciate an explanation as to absence of that information. The Committee had received reports that marabous, who were not subject to adequate oversight, often forced women and girls into begging, early marriage and sexual slavery for a profit. She would like the delegation to comment on the veracity of those reports.

67. She asked how the State party ensured that anti-trafficking legislation was properly enforced; how it guaranteed vulnerable persons access to justice; and how it protected victims of trafficking who wished to testify or assist in an investigation against reprisals. She would also like to receive an update on the cases of slavery that had been pending for several years and information on any new cases recorded in 2016. The delegation might also explain the delay in processing those cases. As slavery was prohibited by the Constitution, the State party was obliged to adopt robust measures to combat it. It would be helpful to hear more about the measures taken to investigate, prosecute and punish public officials who were involved or complicit in human trafficking. She asked what support and assistance services were available to victims of trafficking, particularly those who were forced into slavery or prostitution. She would like to learn more about the protocol for identifying victims of trafficking, including the identification mechanism that was still to be approved by the National Assembly, and to know whether there were any shelters for female victims in the national territory and, if so, whether they were State-funded.

68. The Committee had learned from alternative sources that many women and girls who were forced into marriage were subsequently trafficked across international borders and made to engage in domestic work, prostitution and forced labour. She asked what strategies the State party had put in place to tackle the different forms of exploitation resulting from human trafficking and to help women rebuild their lives once they had been freed from exploitation.

69. Lastly, she wished to know whether the State party had considered strengthening its cooperation with the African Union in the fight against human trafficking, people smuggling and clandestine migration.

70. **Ms. El Back** (Niger) said that the Niger was a member of the African Union and as such was obliged to take steps to implement the Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children. The quota system for women's representation in decision-making bodies was but one of the remedial measures taken to reduce gender inequality. The Government had to show sensitivity in its efforts to correct social and cultural practices that were discriminatory against women. It had already conducted a number of awareness-raising campaigns and taken a number of steps in that direction. The most recent advances in the fight against early marriage and female genital mutilation were set out in the report.

71. **Mr. Hachimou** (Niger) said that considerable progress had been made in breaking down gender stereotypes in the field of employment and in promoting fathers' active involvement in child-rearing. A programme known as "*Illimin zaman douniya*" had been rolled out with the aim of reducing the prevalence of early marriage and teenage pregnancy. Moreover, some 300 safe spaces had been opened to receive and educate teenage girls about the dangers of early marriage. During their stay in the safe space, they received literacy and vocational training and, upon leaving, were more likely to refuse to enter into an early marriage and report it to the authorities. There were plans to open additional safe spaces in all regions of the country with the support of various State institutions and international NGOs. It was hoped that the expansion of the network of safe spaces would help eradicate the practice of early marriage. In that connection, the Government was in the process of devising a national action plan to put an end to that phenomenon within the framework of a campaign launched by the African Union in 2015.

72. **Ms. Mounkeila** (Niger) said that slavery was prohibited by the Constitution and the Criminal Code and that Order No. 2010-086 on combating trafficking in persons dealt with

slavery and similar practices. There was therefore no need to adopt new legislation to criminalize the practice of *wahaya*. Criminal proceedings had already been brought against persons engaging in the practice. The prevalence of human trafficking was high on account of the country's land surface area, porous borders and status as a country of origin and transit for migrants. The delegation recognized the need to provide the Committee with up-to-date statistical data and would endeavour to include such information in its future reports. As to the support available to victims of trafficking, Order No. 2010-086 provided for the establishment of a compensation fund for their benefit. Following the adoption of the relevant decree, the Government had begun the process of setting up the fund with the assistance of several partners.

73. **Mr. Ousseini** (Niger) said that, under existing legislation, legal assistance was available to all persons regardless of their sex or income, and legal aid was provided for vulnerable groups. In particular, legal aid was provided for women, including foreign nationals, irrespective of their level of income, in cases relating to divorce, child custody and maintenance. All women of the Niger and foreign women who were victims of violence were entitled to legal aid. While "repudiation" — the dissolution of a customary marriage — was a unilateral decision on the part of the husband, it was only permissible under customary law, and strict rules applied concerning the husband's duty to continue to provide for his wife and the prohibition of violence.

74. The National Human Rights Commission could take up cases on its own initiative, launch investigations and propose sanctions. The Ombudsman was authorized to hear cases of individuals against the State — but not cases between individuals — provided that those cases were not already being examined by the court.

75. **Ms. Tampone** (Niger) said that following an initial study by the division for the development of strategies to combat gender-based violence, established in 2011, to determine the extent and analyse the determinants of violence against women, a national prevention and response strategy and action plan had been developed in 2017. It would be implemented with the support of financial and technical partners. Capacity-building activities had been conducted for front-line stakeholders, law enforcement agencies, government officials and civil society representatives. There were plans to ensure that gender-based violence was covered in police training.

76. **Ms. Chalal** asked whether the Government envisaged introducing a law to prohibit early marriage and to raise the minimum age of marriage for girls to 18 years.

77. **Ms. Gabr** asked whether the Government might consider accepting technical assistance from the African Union to address the problem of trafficking in persons. She asked about the coordination between the National Commission for the Coordination of the Fight against Trafficking in Persons and the National Agency for Combating Trafficking in Persons regarding legal proceedings and victim identification mechanisms. She would like further information on the role traditional leaders played in victim assistance and on efforts to address early marriage and prostitution.

78. **Ms. Schulz** said that she would like to know what percentage of marriages in the Niger were performed under civil, rather than customary, law, in order to gauge what proportion of the population could take marriage-related cases before the civil courts.

79. **Mr. Hachimou** (Niger) said that his Government had spearheaded a campaign in the African Union to end child marriage. A committee, composed of State and civil society representatives and development partners, had been set up to establish an action plan to eliminate early marriage. Ending early marriage required a progressive approach and legislation would be drawn up if a consensual action plan contained a recommendation to that end.

80. **Ms. El Back** (Niger) said that education was obligatory for all children up to the age of 16 years, which helped to prevent early marriage. Awareness-raising campaigns were conducted among traditional and religious chiefs; community framework programmes on early marriage had been developed involving leaders and women's groups; and a number of initiatives had been rolled out for the benefit of adolescents and future husbands.

81. **Mr. Ousseini** (Niger) said that the draft personal status code, which addressed all aspects relating to marriage, including the minimum age, and the bill on the protection of school-age girls, which prohibited marriage of girls who were below the minimum age for the end of compulsory education, were under consideration by the Government. Customary law was applicable by default with regard to marriage but individuals could opt for a civil marriage. Given that the vast majority of the population of the Niger was Muslim, most people chose to marry under customary law.

82. **Mr. Hachimou** (Niger) said that there had been a steady decrease in the rate of female genital mutilation in recent years, down to 2 per cent in 2012. In some regions, inhabitants were not even aware of the phenomenon. The Multi-Indicator Demographic and Health Survey due to be carried out in 2017 would provide updated statistics. Legislation had been enacted setting out sanctions for female genital mutilation and various civil society organizations were working in that area, often with the financial support of international organizations.

83. **Ms. Gabr** asked how the special compensation fund for victims of trafficking operated and whether practical assistance was offered to victims.

84. **Mr. Ousseini** (Niger) said that the fund had not yet been set up. A draft decree had been examined and approved by the legislative reform committee and would shortly be presented to the National Assembly for adoption. Amendments to anti-trafficking legislation had not yet been enacted.

Articles 7 to 9

85. **Ms. Verges** asked what percentage of appointed offices were held by women and what measures were in place to address the absence of women in the posts of governor, secretary general of a governorate and prefect. She would like to have statistics on women's representation in NGOs and associations. What strategies and measures had been taken to increase women's representation in international organizations and in diplomatic posts at all levels?

86. **Ms. Schulz** asked when the Government expected to achieve universal coverage of birth registration in the country and whether the activities that had resulted in the significant advances in birth registration were funded by the State or from an external budget, as the sustainability of such efforts would be influenced by the availability of resources.

87. **Ms. El Back** (Niger) said that it was hoped that the rate of birth registration could be further improved with the support of civil society. With regard to appointed offices, there had been two women governors at the regional level over the previous 10 years. Efforts were being made to ensure that women occupied government posts. Women's collectives, which included many representatives of NGOs, were at the forefront of initiatives to improve women's representation.

88. **Ms. Alou** (Niger) said that women occupied just over 25 per cent of posts in embassies and consulates. Under the rules on other diplomatic posts, public servants who had been working in the Ministry of Foreign Affairs for five years were posted abroad for four years and returned to work in the country for another five.

89. **Mr. Hachimou** (Niger) said that women were represented in international organizations, including in United Nations country offices in the region. Some progress had been made in that respect since the periodic report had been submitted; for example, two deputy secretary generals of governorates, two prefects, one general secretary of a prefecture and a handful of deputy secretary generals in ministries were women.

90. **Ms. Mounkeila** (Niger) said that, owing to the legal requirement to register births within a certain time period and the strengthened capacity of registry offices, the birth registration coverage rate was expected to reach 100 per cent in the near future. Moreover, the enhanced registration procedures would help avoid statelessness among internally displaced persons and refugees in the Niger.

91. **Ms. El Back** (Niger) said that mobile units travelled to villages across the country to register births.

92. **Ms. Verges** said that, given the importance of women's representation at the local level, the low number of women mayors should be addressed. Awareness-raising campaigns could also be conducted to foster women's representation in international bodies.

93. **Ms. El Back** (Niger) said that in view of the fact that the position of mayor was an elected office, more girls and women needed to receive an education in order to attain a sufficient academic level to stand for election. Accordingly, efforts were being made to ensure girls attended educational establishments.

Articles 10 to 14

94. **Ms. Song**, noting the low school enrolment rate for girls at the lower secondary level, asked whether incentives had been developed to help families send their children, particularly girls, to school; whether programmes had been developed in cooperation with civil society to provide financial support for girls' education; and whether there were programmes to sensitize parents to the importance of girls' schooling and the need to overcome gender stereotypes that limited girls' access to education. With regard to upper secondary education, she asked what accounted for the low admission rate for girls. Given the restricted access to school for child mothers and pregnant girls, she asked what measures were in place to ensure child mothers could receive an education and whether circular No. 047/MEN/DEST/EX of 15 November 1975 might be revised in order to remove discriminatory restrictions. She asked what measures were taken to help girls who had not been able to complete the education cycle. With regard to tertiary education, she would like to know what percentage of college students were female, what support was offered to girl students from poor families and whether girls were encouraged to pursue non-traditional subject areas.

The meeting rose at 1 p.m.